

MONTANA LEGISLATIVE HISTORY

Chapter 584 19 85

Bill H _____ S 140

Original bill & history / c

H. Committee on LOCAL GOV'T

Hearing Date(s) 3/12 X c

& EXEC ACTION _____ c

_____ c

_____ c

Date Out _____ c

S. Committee on LOCAL GOV'T

Hearing Date(s) 1/29 X c

~~EXEC ACTION~~ 1/31 X c

EXEC ACTION 2/5 X c

_____ c

Did this bill originate in an interim committee? _____ Yes _____ No

Committee _____

Report _____

WE HAVE NO MINUTES FROM THE FREE CONFERENCE
COMMITTEE HEARINGS.

SENATE FINAL STATUS

3/20 SIGNED BY SPEAKER

3/21 TRANSMITTED TO GOVERNOR

3/22 SIGNED BY GOVERNOR

CHAPTER NUMBER 147 EFFECTIVE DATE: 3/22/85

INTRODUCED BY THAYER, CHRISTIAENS

OPTIONAL USE OF STATE OR FEDERAL DISCLOSURE LANGUAGE

1/18 INTRODUCED

1/18 REFERRED TO BUSINESS & INDUSTRY

1/25 HEARING

1/29 COMMITTEE REPORT-BILL DO PASS

1/31 2ND READING PASS

35 7

2/02 3RD READING PASS

42 1

TRANSMITTED TO HOUSE

2/27 REFERRED TO BUSINESS & LABOR

3/07 HEARING

3/08 COMMITTEE REPORT-BILL CONCURRED

3/09 2ND READING CONCURRED

93 0

3/12 3RD READING CONCURRED

98 1

RETURNED TO SENATE

3/15 SIGNED BY PRESIDENT

3/15 SIGNED BY SPEAKER

3/15 TRANSMITTED TO GOVERNOR

3/18 SIGNED BY GOVERNOR

CHAPTER NUMBER 89 EFFECTIVE DATE: 10/01/85

INTRODUCED BY CHRISTIAENS, ECK, ET AL.

INCREASING COUNTY DEBT WITHOUT A VOTE TO \$500,000

1/18 INTRODUCED

1/18 REFERRED TO LOCAL GOVERNMENT

1/29 HEARING

2/06 COMMITTEE REPORT-BILL PASS AS AMENDED

50 0

2/09 2ND READING PASS

45 5

2/12 3RD READING PASS

TRANSMITTED TO HOUSE

2/27 REFERRED TO LOCAL GOVERNMENT

3/12 HEARING

3/13 COMM REPORT-BILL CONCURRED AS AMENDED

3/16 2ND READING CONCURRED

78 19

3/18 3RD READING CONCURRED

70 28

RETURNED TO SENATE WITH AMENDMENTS

3/21 2ND READING AMENDMENTS CONCURRED

21 12

3/22 ON MOTION HOUSE AMEND. RETURNED TO 2ND

3/25 2ND READING AMENDMENTS NOT CONCURRED

36 10

3/26 FREE CONFERENCE COMMITTEE APPOINTED

4/12 FREE CONFERENCE COMMITTEE REPORT

SENATE

4/13 2ND READING FREE CONFERENCE COMMITTEE
REPORT ADOPTED

50 0

4/15 3RD READING FREE CONFERENCE COMMITTEE
REPORT ADOPTED

47 2

SENATE FINAL STATUS

HOUSE
 4/13 2ND READING FREE CONFERENCE COMMITTEE REPORT ADOPTED
 4/13 3RD READING FREE CONFERENCE COMMITTEE REPORT ADOPTED
 4/17 SIGNED BY PRESIDENT
 4/17 SIGNED BY SPEAKER
 4/18 TRANSMITTED TO GOVERNOR
 4/22 SIGNED BY GOVERNOR
 CHAPTER NUMBER 584 EFFECTIVE DATE: 1/1/75

SB 141 INTRODUCED BY KEATING
 EXEMPT FROM REGULATION TRANSPORT OF A COMMODITY
 MOTOR CARRIER FOR U.S.

1/18 INTRODUCED
 1/18 REFERRED TO BUSINESS & INDUSTRY
 1/25 HEARING
 1/29 COMMITTEE REPORT-BILL DO PASS
 1/31 2ND READING PASS
 2/02 3RD READING PASS

TRANSMITTED TO HOUSE
 2/27 REFERRED TO BUSINESS & LABOR
 3/12 HEARING
 3/12 COMMITTEE REPORT-BILL CONCURRED
 3/15 2ND READING CONCURRED
 3/18 3RD READING CONCURRED

RETURNED TO SENATE
 3/21 SIGNED BY PRESIDENT
 3/22 SIGNED BY SPEAKER

3/22 TRANSMITTED TO GOVERNOR
 3/26 SIGNED BY GOVERNOR
 CHAPTER NUMBER 178 EFFECTIVE DATE: 1/1/75

SB 142 INTRODUCED BY HALLIGAN
 INCREASING LIGHT VEHICLE FEES - USING INCREASE IN
 DISTRICT COURTS

1/19 INTRODUCED
 1/19 REFERRED TO LOCAL GOVERNMENT
 1/21 FISCAL NOTE REQUESTED
 1/28 FISCAL NOTE RECEIVED
 2/05 HEARING
 2/21 COMMITTEE REPORT-BILL PASS AS AMENDED
 2/23 2ND READING PASS AS AMENDED
 2/25 3RD READING PASS

TRANSMITTED TO HOUSE
 2/27 REFERRED TO TAXATION
 3/19 HEARING
 3/27 COMMITTEE REPORT-NO RECOMMENDATION
 4/01 2ND READING CONCURRED AS AMENDED
 4/02 3RD READING PASS

RETURNED TO SENATE WITH AMENDMENTS

SENATE BILL NO. 140

INTRODUCED BY CHRISTIAENS, ECK, FULLER,
HALLIGAN, MCCALLUM, KOLSTAD, SEVERSON,
H. HAMMOND, FARRELL, TVEIT, HARDING

IN THE SENATE

January 18, 1985	Introduced and referred to Committee on Local Government.
February 6, 1985	Committee recommend bill do pass as amended. Report adopted.
February 7, 1985	Bill printed and placed on members' desks.
February 9, 1985	Second reading, do pass.
February 11, 1985	Considered correctly engrossed.
February 12, 1985	Third reading, passed. Ayes, 45; Noes, 5.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Local Government.
March 13, 1985	Committee recommend bill be concurrent in as amended. Report adopted.
March 16, 1985	Second reading, concurred in.
March 18, 1985	Third reading, concurred in.
	Returned to Senate with amendments.

IN THE SENATE

March 18, 1985	Received from House.
March 21, 1985	Second reading, amendments concurred in.
March 22, 1985	On motion, taken from third reading and rereferred to second reading for further consideration on 64th Legislative Day. Motion adopted.
March 25, 1985	Second reading, amendments not concurred in. Ayes, 36; Noes, 10.
March 26, 1985	On motion, Free Conference Committee requested and appointed.
April 12, 1985	Free Conference Committee reported.
April 13, 1985	Free Conference Committee report adopted by House. Second reading, Free Conference Committee report adopted.
April 15, 1985	Third reading, Free Conference Committee report adopted. Ayes, 47; Noes, 2. Sent to enrolling. Reported correctly enrolled.

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Senate BILL NO. *140*
INTRODUCED BY *Mustaine, Eck, Fuller, Hallgren*
McCallum, Related, Sweeney, H. Williamson
Farrall, Truitt
A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE AMOUNT
OF SINGLE-PURPOSE COUNTY INDEBTEDNESS AUTHORIZED WITHOUT A
VOTE TO \$500,000 FROM \$150,000; AMENDING SECTION 7-7-2101,
MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-7-2101, MCA, is amended to read:

"7-7-2101. Limitation on amount of county indebtedness. (1) No county may become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 23% of the taxable value of the property therein subject to taxation as ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness.

(2) No county may incur indebtedness or liability for any single purpose to an amount exceeding ~~\$150,000~~ \$500,000 without the approval of a majority of the electors thereof voting at an election to be provided by law, except as provided in 7-21-3413 and 7-21-3414."

-End-

January 29, 1985

Senator Harding stated that she agreed that any provisions that were left out of the bill should be included as the purpose of the bill was to standardize all notices. She emphasized that the bill does not include municipalities and provisions covering municipalities were not intended to be included in the bill.

Senator Story stated he shares Mr. Meloy's concerns about different types of actions requiring different types of notices.

Senator Harding explained that all parties involved are sent some type of certified or registered mail notifying them of action to be taken besides being informed through advertising. The advertising is not the only method of notification to the parties involved.

Senator Fuller asked Mr. Meloy if he was comfortable that the bill is in compliance with the law. Mr. Meloy stated he felt the requirement for different types of notices was originally set up for a purpose. He feels there are some cases where it is more important to give more than one notice.

Senator Harding feels that, in more important cases, people are getting plenty of notice. She explained that, if the bill were to pass, it would standardize the number of notices to two.

The hearing was closed on SB 130.

CONSIDERATION OF SENATE BILL 140: Senator Chris Christiaens, District #17, is the sponsor of this bill. The bill was introduced to increase the amount of single-purpose county indebtedness authorized without a vote to \$500,000 from \$150,000.

PROPONENTS

A letter supporting Senate Bills 126, 130, 140, and 170, was submitted by the Missoula County Commissioners. The letter is attached as Exhibit A to these minutes.

Gordon Morris, representing the Montana Association of Counties, spoke in favor of the bill. He stated that the amount of one hundred fifty thousand now in the bill is a barrier to sound fiscal management. He said the Infrastructure Task Force has made several recommendations to expand the flexibility regarding the limits now imposed on county governments. He said the bill is supported by all fifty two members of the Montana Association of Counties.

Mort McBain, Administrative Officer for Yellowstone County, stated that the Yellowstone County Commissioners are in support of the bill. He feels the current dollar amount is not keeping pace with the economy and restricts the ability of county commissioners to manage in an effective manner.

January 29, 1985

Greg Jackson, representing Urban Coalition, stated he endorses the philosophy of giving local governments the ability to manage in a more effective manner.

OPPONENTS

There were no opponents to SB 140.

Questions from the Committee were called for.

Senator Story asked what other limits were placed on county spending authority. Mr. Morris responded there were a variety of limits placed on local governments through state laws, including limits on long term indebtedness and property tax indebtedness.

Senator Harding expressed her concern with the limit of five hundred thousand dollars. She stated that, for small counties, this would be a large amount of indebtedness. She asked if there could be some way to base the amount on county population. Mr. Morris stated they did not have a problem with that, but they had already tried to do that and they could not come up with a feasible formula due to the large amount of population fluctuation in counties.

Senator McCallum asked how long the limit of one hundred fifty thousand dollars had been in effect. Mr. Morris said the limit was raised in 1981 from eighty thousand dollars to one hundred fifty thousand dollars.

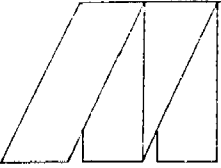
Senator Eck stated she felt there were enough other limits on county spending to prevent counties from going crazy spending money.

The hearing was closed on SB 140.

CONSIDERATION OF SENATE BILL 170: Senator George McCallum, District #26, is the sponsor of this bill. The bill was introduced to clarify the duties of the county fair commission and to delete ceilings on specific appropriations and on the mill levy for funding county fairs.

PROPOSERS

Bob Severson, representing the Rocky Mountain Association of Fairs, spoke in favor of the bill. He stated that fairs are often the biggest event of the year in counties but they often become strapped for funds in order to put them on. He said most counties stay well below the one and a half mill levy that can now be authorized by county commissioners but this bill would at least give them the authority to go over that limit if they needed to.



MISSOULA COUNTY

BOARD OF COUNTY COMMISSIONERS

• Missoula County Courthouse • Missoula, Montana 59802
(406) 721-5700

BCC-85-055
January 28, 1985

LOCAL GOVERNMENT COMMITTEE
JANUARY 29, 1985
EXHIBIT A

Senator Dave Fuller, Chairman
Senate Local Government Committee
Montana State Senate
Capitol Station
Helena, Montana 59624

Dear Senator Fuller:

We are writing to give our comments on four bills that are scheduled to be heard in the Senate Local Government Committee on Tuesday, January 29, 1985.

SENATE BILL 126

We are strongly in support of this bill, which would allow us the flexibility to transfer budget authority among personnel, operations and capital expenditures. County road funds already have this authority, and we believe that the same authority should be extended to all County departments. This is a reform that is long overdue. The usefulness of this provision of law in restricting County Commissioners perhaps had a purpose in the distant past, but in today's world of sophisticated budgeting and accounting and the ability of computerized accounting systems to maintain accurate records of all budgets and expenditures, there can be no reason for this restriction.

Passage of this bill would in no way remove from us our responsibility to individually list all capital expenditures, but it would make it possible, if there are savings in personnel or operations, to make capital expenditures in a timely fashion rather than having to wait until the next fiscal year.

Since our county, and virtually all counties, is frugal with its expenditures, and has never exceeded its budgeted expenditure authority, it is our belief that there would be no loss in public accountability, while our ability to flexibly respond to needs would be immeasurably enhanced.

SENATE BILL 130

We support this bill which would standardize notice requirements for the myriad activities in which we are involved. Over the years we have found it very difficult to explain to citizens why one procedure requires one set of notices, while another procedure requires a different one. No doubt many of these differences arise from the specifics of the activity when it was first enacted into law, but over the years, they have all become fairly similar from the citizen's, and from the administrator's, point of view.

It would certainly make life easier for us, and for the people we deal with, if they knew as a matter of course that notice and hearing requirements were pretty much the same for all of the things that they have to deal with us about.

SENATE BILL 170

We are opposed to this bill, since we do not believe that it is in anyone's interest to simply raise the mill levy for county fairs. We believe a much better solution would be passage of Senate Bill 76, the "Consolidated Services Levy," which includes the fair levy as one of the mill levies to be included in the consolidated levy. Our reasoning is as follows: If there is no cap on a mill levy, then there is a presumption on the part of fair boards, managers and proponents of the fair, that the sky is the limit as far as what the Commissioners have the authority to give them.

While we support this kind of authority in principle, in view of the citizens' resentment over increases in property taxes, we believe it is important for all people who have to deal with the County budget to realize that there are indeed limits, and that resources for one County program often have to be weighed against resources for another. The all-purpose levy, while allowing us to raise tax-supported revenue for fairs above the current limit, would allow us to do so only in the context of a levy that has to support a number of other County activities, thereby ensuring that the taxpayers understand that County resources are not inexhaustible, and that difficult choices have to be made.

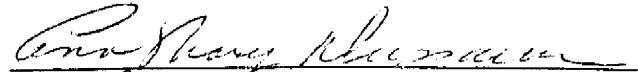
SENATE BILL 140

We strongly support Senate Bill 140, which would raise the limit to which counties may incur debt without a vote of the people to a more realistic level of \$500,000. With local governments now contemplating the purchase of such items as phone systems, which they never would have even dreamt of purchasing in the past, the old limit of \$150,000 simply is not realistic.

With flexible financing tools, such as municipal leases, now being handled as a routine occurrence, counties now have the financial sophistication to use other sources of financing for small capital projects, rather than simply relying on municipal bonds. Therefore, given that inflation has eroded the \$150,000 limit, and that acquisition of new kinds of capital equipment is becoming almost routine, and that new forms of financing are now available, it only makes sense to pass this bill, and increase our flexibility in being able to make capital purchases.

Sincerely,

MISSOULA BOARD OF COUNTY COMMISSIONERS


Ann Mary Dussault, Chair


Barbara Evans, Commissioner


Bob Palmer, Commissioner

BCC/HS/lr

cc: Missoula County Senators
Gordon Morris, Executive Director
MACo

ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

49th

~~XXXX~~ LEGISLATIVE SESSION -- 1985

Date 1-29-85

SENATE
SEAT
#

13

Senator Crippen, Bruce

PRESENT

ABSENT

EXCUSED

18

Senator Eck, Dorothy

11

Senator Harding, Ethel

47

Senator Hirsch, Les

4

Senator McCallum, George

28

Senator Mohar, John (V.Chair)

44

Senator Pinsoneault, Dick

19

Senator Regan, Pat

21

Senator Story, Pete

43

Senator Fuller, Dave (Chair)

Each day attach to minutes.

1-29-85

LOCAL Gov't

VISITORS' REGISTER

[illegible]

January 31, 1985

FURTHER CONSIDERATION OF SENATE BILL 140: Senator McCallum moved that the amount in the bill be amended from five hundred thousand dollars to three hundred fifty thousand dollars.

Senator Pinsoneault made a substitute motion that the bill be amended to read three hundred fifty thousand dollars for class three through seven cities and five hundred thousand dollars for class one and two cities. The substitute motion passed with Senator Fuller voting no.

ACTION TAKEN ON SENATE BILL 160: Senator Pinsoneault moved that the Committee adopt the proposed amendment to SB 160 which would add the category of "capital outlay." The motion passed with Senator Harding voting no.

Senator Harding said she would not vote for the amendment to add "capital outlay" as a class because cities should have an exact amount budgeted in that line item.

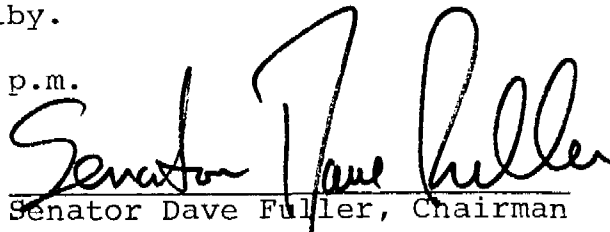
Senator Story made a motion to reconsider their vote to adopt the amendment based on Senator Harding's comments. The motion failed with Senators Story, McCallum, Crippen, and Harding voting to support the motion to reconsider and Senators Fuller, Mohar, Pinsoneault, Regan, Hirsch, and Eck voting no. The original motion was therefore adopted noting the votes to be reversed.

Senator McCallum moved the Committee recommend a DO PASS as amended on SB 160. The motion passed with Senators Story and Crippen voting no.

FURTHER CONSIDERATION OF SENATE BILL 88: Karen Renne researched into how much of the money in the police retirement fund was stated contributed. She stated approximately forty four percent of the funds were from state money. Her memo is attached as Exhibit G to these minutes.

Senator Regan asked that an amendment be prepared for the state to be able to reclaim its' portion of the funds and letting the City of Shelby retain its' portion. Karen stated an amendment would be prepared so that this bill will apply to cities other than just Shelby.

The meeting adjourned at 2:40 p.m.


Senator Dave Fuller, Chairman

ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

49th

~~XXXX~~ LEGISLATIVE SESSION -- 1985

Date 01-31-85

SENATE
SEAT
#

NAME	PRESENT	ABSENT	EXCUSED
13 Senator Crippen, Bruce	/late		
18 Senator Eck, Dorothy	✓		
11 Senator Harding, Ethel	✓		
47 Senator Hirsch, Les	✓		
4 Senator McCallum, George	✓		
28 Senator Mohar, John (V.Chair)	✓		
44 Senator Pinsoneault, Dick	✓		
19 Senator Regan, Pat	✓		
21 Senator Story, Pete	✓		
43 Senator Fuller, Dave (Chair)	✓		

Each day attach to minutes.

DATE 01-31-85

COMMITTEE ON LOCAL GOVERNMENT

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with co-

DATE 2-5-85

COMMITTEE ON

LOCAL GOV'T

VISITORS' REGISTER

[illegible]

LOCAL GOVERNMENT COMMITTEE
FEBRUARY 5, 1985
EXHIBIT C

PROPOSED AMENDMENTS TO SB 140

1. Title, line 6.
Following: "VOTE"
Insert: "FROM \$150,000"
Following: "\$500,000"
Strike: "FROM \$150,000"
Insert: "IN CLASS 1 and CLASS 2 COUNTIES AND TO \$350,000 IN
ALL OTHER COUNTIES"
2. Page 1, line 20.
Following: line 19
Insert: "in class 1 and class 2 counties and \$350,000 in
all other counties"

Proposed by committee on 1/31/85

February 5, 1985

Senator Pinsoneault said some people had concerns as to whether failure to attend classes, resulting in forfeiture of office, was unconstitutional or inappropriate. Mr. Gravely said Justices of the Peace are required to attend classes or they forfeit their offices and the same is true with attorneys.

Senator Eck asked Mr. Rivers if the courses would provide additional valuable information. Mr. Rivers said sixteen hours of classes would be offered every two years that would provide new and exciting issues in the field of forensic sciences.

Senator Hirsch expressed his concern that this bill would make it even harder to find coroners for counties where it is already difficult. Mr. Nelson said he did not think it would be a burden to have a coroner come from another county in rural areas rather than have someone not trained doing the job.

Senator Harding asked if both county coroners and deputy county coroners would be required to attend classes. Mr. Gravely said yes.

Senator Regan asked if courses would only be offered in Missoula. Mr. Rivers said the courses would be offered anywhere the Montana Coroners' Association desired.

Senators Regan and Eck expressed their concerns about travel costs and tuition costs. Mr. Rivers said some travel costs are already budgeted out of other funds and tuition will not be paid for by the State but by county budgets.

The hearing was closed on SB 177.

FURTHER CONSIDERATION OF SENATE BILL 140: Karen Renne explained the proposed amendment, which would make the amount five hundred thousand dollars for class one and two counties and three hundred fifty thousand dollars for all other counties. The proposed amendment is attached as Exhibit C to these minutes.

ACTION TAKEN ON SENATE BILL 140: Senator McCallum moved the amendments to the bill be adopted. The motion passed unanimously.

Senator McCallum then moved the Committee recommend a DO PASS as amended on SB 140. The motion passed with Senator Story voting no.

ACTION TAKEN ON HOUSE BILL 77: Senator Harding moved that HB 77 be concurred in. The motion passed with Senators Story and McCallum voting no. Senator Harding will be asked to carry the bill.

ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

49th
~~XXXX~~ LEGISLATIVE SESSION -- 1985

Date 2-5-85

SENATE
 SEAT
 #

NAME	PRESENT	ABSENT	EXCUSED
13 Senator Crippen, Bruce	<i>late</i> ✓		
18 Senator Eck, Dorothy	✓		
11 Senator Harding, Ethel	✓		
47 Senator Hirsch, Les	✓		
4 Senator McCallum, George	✓		
28 Senator Mohar, John (V.Chair)	✓		
24 Senator Pinsoneault, Dick	✓		
19 Senator Regan, Pat	<i>late</i> ✓		
21 Senator Story, Pete	✓		
43 Senator Fuller, Dave (Chair)	✓		

Each day attach to minutes.

STANDING COMMITTEE REPORT

February 5

1985

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on.....

SENATE BILL

having had under consideration..... No. 140

FIRST

WHITE

reading copy ()
color

INCREASING COUNTY DEBT WITHOUT A VOTE TO \$500,000

SENATE BILL

Respectfully report as follows: That..... No. 140

be amended as follows:

1. Title, line 6.

Following: "VOTE"

Insert: "FROM \$150,000"

Following: "\$500,000"

Strike: "FROM \$150,000"

Insert: "IN CLASS 1 and CLASS 2 COUNTIES AND TO \$350,000 IN
ALL OTHER COUNTIES"

2. Page 1, line 20.

Following: line 19

Insert: "in class 1 and class 2 counties and \$350,000 in
all other counties"

AND AS AMENDED

DO PASS

~~DO NOT PASS~~

Senator Dave Fuller

Chairman.

OPPONENTS: There were no opponents present.

In closing, Senator Blaylock asked who would like to carry the bill, and Rep. Sands said he would.

DISCUSSION OF SENATE BILL NO. 102: Rep. Sales said a little while back this committee had a bill that would allow payment by check on all warrants, and he asked how they kept track of where the money went. Mr. Verwolf answered they don't propose to eliminate the claim, only the signature involved.

There being no further discussion of the bill, the committee reconvened for executive action on HB 858.

Rep. Sands had moved to amend, and explained the reason for the amendment is because we are putting a requirement for voter approval for every kind of district. This is one that has the authority to issue bonds and has the ability to create indebtedness across the city. Rep. Sales said no, not without an election. Action was then postponed again on HB 858, as Senator Christiaens arrived to present his bill.

CONSIDERATION OF SENATE BILL NO. 140: Senator Christiaens of District 17, Great Falls, appeared as sponsor of SB 140. This bill increases the amount of single-purpose county indebtedness authorized without a vote of the people, from \$150,000 to \$500,000 in Class 1 and Class 2 counties, and to \$350,000 in all other counties. He explained the reason for this bill is inflation. This bill is supported by the Montana Association of Counties as a fiscal responsible type of bill for county commissioners. Originally, the ceiling for indebtedness for counties was \$80,000, and was raised to \$150,000. The need for equipment moving has raised it again. He asked the committee's concurrence in this bill.

PROPOSERS: Gordon Morris, representing the Montana Association of Counties, stated that as Senator Christiaens had pointed out, this bill is supported by MACo, and was endorsed in Kalispell and amended. It is a by product of the infrastructure task force. One of the problems of the bill is that the control would be under the limits as set by the county budget, and that one piece of road equipment costs more in one county than in another. There is one item that the committee might want to look at before voting, and he recommended that an immediate effective date of July be added to coincide with the county budget law. He hoped for a DO PASS recommendation on SB 140.

PROPOSERS: Greg Jackson, representing the Urban Coalition, said they concur with SB 140 and recommend the committee to pass this bill.

OPPOSERS: There were no opposers present.

In closing, Senator Christiaens said this particular recommendation did come out of the infrastructure task force, and as the bill has been amended, is something that all counties can live with. This is very workable and very needed. As to effective date, he didn't have any specific preference and the committee could say whatever they like.

DISCUSSION OF SENATE BILL NO. 140: Rep. Brandewie asked Senator Christiaens if the bill would be jeopardized if they changed it back to \$500,000 in all counties because equipment is the same in smaller counties as well as in larger counties. Senator Christiaens replied that if the committee chooses to do this it is fine with him, but it may run into a problem back in the Senate as they feel it would be restrictive.

Rep. Kitselman asked Senator Christiaens what raising this to a \$500,000 ceiling would do to the bidding process for the equipment. Senator Christiaens answered that it would have to go through the same bidding process as before. In heavy equipment, the need comes up immediately without warning, without the opportunity to go to the voters.

Rep. Kadas agreed to carry the bill.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 20: Senator Van Valkenburg, sponsor of the resolution, appeared before the committee to present it. He stated this is an effort to provide a memorial to the wife of Allen Kimery, who was a deputy sheriff from Missoula county and was shot and killed while carrying out his duties. He was in the process of making an arrest. He was found lying on the side of the street two or three minutes after the call was made and was dead within a short time of their arrival. This isn't much to do, but most law enforcement officers pay a price for our protection. This man was a friend of Senator Van Valkenburg and worked hard in the Legislature in 1981 to get the Legislature to adopt pay matters in regards to deputy sheriffs.

PROPOSERS: Rep. Brown stated he would like to be listed as a proponent of the resolution. He worked with Al Kimery in 1981.

DISPOSITION OF SENATE BILL NO. 20: Rep. Brown moved SB 20 BE CONCURRED IN, seconded by Rep. Brandewie.

Rep. Sales moved to amend to include cities and towns to repeal, seconded by Rep. Gilbert. Rep. Brown asked Lee Heiman if these aren't local ordinances, not state statutes, and this is the reason for the bill. Rep. Sales then withdrew the amendment.

Rep. Sales then made a substitute motion that SB 20 BE NOT CONCURRED IN, and this was seconded by Rep. Gilbert.

Rep. Brown said this is a statute that has been on the books since the early 1900's. The only reason that this has been a problem is Great Falls. Most counties don't impose it, as most counties said it would cost more to collect. Rep. Sales stated the fiscal note refers to Yellowstone County, and shows the loss, that it is the city, not Cascade County which is involved. Also, the general fund money is being lost. Rep. Brown stated the fiscal note doesn't show how much it costs to collect and that is the main point of the bill. Rep. Gilbert felt the thing should be left on the books.

Question being called for, motion PASSED, with 10 members voting yes, and four no.

Rep. Brown will carry the bill on the floor.

DISPOSITION OF SENATE BILL NO. 140: Rep. Hansen moved SB 140 BE CONCURRED IN, seconded by Rep. Poff.

Rep. Kadas moved to amend by putting on immediate effective date. Rep. Wallin seconded it. Rep. Fritz stated that the recommendation was an effective date of July, to which Rep. Kadas said he preferred immediate effective date.

Question being called, motion PASSED UNANIMOUSLY.

Rep. Sales made the motion to strike the Senate amendment, and this was seconded by Rep. Kadas.

Rep. Sales stated that the most responsible county commissioners in the state are those who serve in the smaller counties. They are dedicating their services and are not paid for full time. If anyone can handle \$500,000 expenditures, they can.

Question being called for, motion PASSED UNANIMOUSLY.

(Type in committee members' names and have 50 printed to start).

DAILY ROLL CALL

LOCAL GOVERNMENT COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date March 12, 1985

NAME	PRESENT	ABSENT	EXCUSED
Paula Darko, Chairman	✓		
Norm Wallin, Vice Chairman	✓		
Ray Brandewie	✓		
Dave Brown	late		
Harry Fritz	✓		
Stella Jean Hansen	✓		
Bob Gilbert	✓		
Mike Kadas	✓		
Les Kitselman	late		✓
Paul Pistoria	✓		
Bing Poff	✓		
Walter Sales	✓		
Jack Sands	✓		
Dean Switzer	✓		

STANDING COMMITTEE REPORT

March 12, 19 85

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration SENATE Bill No. 140

THIRD reading copy (BLUE)
color

INCREASING COUNTY DEBT WITHOUT A VOTE TO \$500,000.

Respectfully report as follows: That SENATE Bill No. 140
BE AMENDED AS FOLLOWS:

1. Title, lines 8 and 9.

Strike: "IN CLASS 1 AND CLASS 2 COUNTIES AND TO \$350,000
IN ALL OTHER COUNTIES"

2. Title, line 10.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1, lines 23 and 24.

Strike: "IN CLASS 1 AND CLASS 2 COUNTIES AND \$350,000
IN ALL OTHER COUNTIES"

4. Page 2.

Following: line 1.

Insert: "NEW SECTION. Section 2. Effective date. This
act is effective on passage and approval."

And, as so amended,

BE CONCURRED IN

